

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.16081 of 2024

ORAL ORDER:

Seeking the Court to enlarge the petitioner, who is arrayed as accused No.4 in Crime No.785 of 2024 of Jawaharnagar, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that On 21.07.2024, Jawaharnagar Police seized contraband and registered a case vide Crime No.785 of 2024 against the accused for illegally buying and selling contraband, violating Sections 8(c) read with 15, and 21 read with 22(c) of the NDPS Act.

3. Heard Sri R. Thirupathi, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing on behalf of the respondent - State.

4. Learned counsel for the petitioner submitted that the petitioner is running a stationary shop under the name and style of Ramdev Stationary at Begum Bazar. He was implicated in a case as accused No.4 based on the confessional statements of accused Nos.1 and 2, who were

caught at the scene of the offence with seized contraband. Despite nothing being seized from the petitioner, he was arrested on 15.11.2024, and remanded to judicial custody. The bail application of the petitioner was dismissed on 26.11.2024, and again on 10.12.2024, citing his involvement in two other similar cases, which were merely allegations. Therefore, he prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the petitioner is a drug peddler. He further submitted that the investigation is in progress and if the petitioner is released on bail, at this stage, he may tamper with the evidence and may threaten the witnesses and further, he is involved in other two crimes. Hence, he prayed the Court to dismiss the criminal petition.

6. In the light of the submissions made by both the learned counsel and a perusal of the material available on record, it appears that the petitioner is in jail from 15.11.2024. As the material part of the investigation is completed and considering the facts and circumstances of the

case, this Court deems it fit to grant bail to the petitioner subject to the following conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties for a like sum each to the satisfaction of the learned X Additional Metropolitan Magistrate, Medchal Malkajgiri District at Malkajgiri.
- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) weeks, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 07.01.2025
SAI

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